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AMEMBASSY LOME
AMEMBASSY LONDON
AMEMBASSY MONROVIA
AMEMBASSY PARIS
MISSION USUN NEW YORK

C O N F I D E N T I A L DAKAR 6203

E.O. 12065: GDS 8/18/85 (GALANTO, FRED J.) OR-M
TAGS: SHUM CT
SUBJECT: FIVE NATIONS JURISTS REPORT ON CAE

REF: STATE 216304

1. RECEIVED THIS MORNING COPY OF FULL REPORT FROM JUDGE YOUSSOUPHA NDIAYE, PRESIDENT OF COMMISSION OF INQUIRY.

2. CONCLUSIONS, PP. 3-5, ARE AS CABLED IN DAKAR'S 6197. CONCLUSIONS DO NOT MENTION INVOLVEMENT OF ZAIRIAN ARMY IN EVENTS IN CAE.

3. WHEN ASKED AT AUGUST 16 PRESS CONFERENCE ABOUT PARTICIPATION OF ZAIRIAN ARMY IN THESE EVENTS, M. NDIAYE, ACCORDING TO APS, RESPONDED AS FOLLOWS (ORIGINAL TEXT IN FRENCH):
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" REPONDANT AUX QUESTIONS DES JOURNALISTES, M. NDIAYE A

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PAR AILLEURS AFFIRME QUE LA PARTICIATION DE L'ARMEE ZAIROISE A CES EVENEMENTS A ETE VERIFIEE ET PROUVEE PAR DE NOMBREUX SOLDATS TUES OU ARRETES ET IDENTIFIES COMME TELS, SELON DE NOMBREUX TEMOIGNAGES."

4. REPORT INCLUDES NUMEROUS EYEWITNESS AND OTHER STATEMENTS RE ZAIRIAN ARMY PARTICIPATION FROM PEOPLE INTERVIEWED BY COMMISSION. ZAIRIAN CONNECTION APPEARS TO APPLY ONLY TO EVENTS OF JANUARY.

5. SOME SAMPLES:
--P. 7 - CHRONOLOGY OF EVENTS (AS) SEEN BY A STUDENT - FRIDAY, JANUARY 1, 1979: "RUMORS EVERYWHERE SAYING THE ZAIRIAN ARMY HAS ARRIVED."
--P. 70 - TESTIMONY OF BANK OFFICIAL: "ON JAN. 20 AND 21 THE "BERENGOS INTERVENED IN THE (CITY) DISTRICTS, AS WELL AS ZAIRIAN SOLDIERS WHO ARRIVED AT THE AIRPORT IN TWO C-130'S."
--P. 92 - TESTIMONY OF "PROFESSEUR AU COLLEGE DES CASTORS": "THEN, THE SITUATION QUICKLY TURNED BAD AND IN CERTAIN NEIGHBORHOODS ARROWS AND OLD HUNTING WEAPONS APPEARED IN THE HANDS OF THE PEOPLE WHO WERE REVOLTED BY THE CARNAGE ORDERED BY THE EMPEROR. SOLDIERS, FOR THE MOST PART ZAIRIANS, FELL. IT MUST BE SAID THAT THERE WERE MANY DEATHS ON EACH SIDE."
--P. 99 - STUDENT AT LAW FACULTY: "MASSACRES TOOK PLACE BECAUSE THE FORCES OF ORDER OF THE CAE, AIDED BY ZAIRIAN ELEMENTS AS REINFORCEMENTS, OPPOSED WITH MACHINE GUN, PISTOL, AND OTHER AUTOMATIC WEAPON FIRE. DEAD AND WOUNDED WERE NUMEROUS ON BOTH SIDES."

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--P. 102 - TESTIMONY OF LAW STUDENT: "CERTAIN ZAIRIAN SOLDIERS WHO HAD COME TO THE HELP OF THE "BERENGO" ALSO DIED, STRUCK DOWN BY PROJECTILES FROM OLD HUNTING WEAPONS AND BOWS USED BY CERTAIN PERSONS ON THE NEIGHBORHOODS WHICH WERE ASSAULTED."

--P. 115 - TESTIMONY OF LYCEE STUDENT: "PEOPLE SAY THAT AT MISKINE A MAN WHO HAD WITNESSED THE MASSACRE OF HIS WIFE AND HIS CHILD, ARMED HIMSELF WITH HIS RIFLE AND KILLED SEVERAL SOLDIERS OF BERENGO AND OF ZAIRE."

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--P. 117 - TESTIMONY OF STUDENT: "THIS THEN WAS THE JANUARY MASSACRE. IT WAS A VERITABLE BATTLE BETWEEN THE DEMONSTRATORS AND THE SOLDIERS OF BOKENGO AND OF ZAIRE. THE NUMBER OF DEATHS ON EACH SIDE WAS FRIGHTENING BUT DIFFICULT TO ESTIMATE PRECISELY."

--P. 121 - TESTIMONY OF STUDENT: "THIS SAME DAY (JANUARY 18, 1979) HE SPOKE SANGO TO A SOLDIER WHO DID NOT UNDERSTAND THAT LANGUAGE. HE UNDERSTOOD THAT HE WAS ZAIRIAN."

6. REPORT IS 133 PAGES LONG, PLUS 18 ANNEXES. REPORT CONSISTS OF TWO-PAGE INTRODUCTION DESCRIBING WORK OF COMMISSION, THREE PAGES OF CONCLUSIONS, ALREADY TRANSMITTED, SIX-PAGE CHRONOLOGY, AND 122 PAGES OF STATEMENTS BY CAE OFFICIALS, MEMBERS OF OPPOSITION AND WITNESSES. ANNEXES INCLUDE PROCES-VERBAUX OF VISITS TO NGARABA PRISON, CEMETERY, LISTS OF PUPILS KILLED AND MISSING, AND OTHER SUPPORTING DOCUMENTS.

7. POUCHING REPORT MONDAY, AUGUST 20, TO DIRECTOR AF/W.

GALANTO

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